U.S. COMMISSION ON CIVIL RIGHTS

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TELEPHONIC BUSINESS MEETING

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THURSDAY, AUGUST 22, 2019

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The Commission convened via teleconference at 10:30 a.m., Catherine Lhamon, Chair, presiding.

PRESENT:

CATHERINE E. LHAMON, Chair

PATRICIA TIMMONS-GOODSON, Vice Chair

DEBO P. ADEGBILE, Commissioner

GAIL HERIOT, Commissioner

DAVID KLADNEY, Commissioner

KAREN K. NARASAKI, Commissioner

MICHAEL YAKI, Commissioner

MAURO MORALES, Staff Director

MAUREEN RUDOLPH, General Counsel
STAFF PRESENT:
EVELYN BOHOR
LASHONDA BRENSON
PAMELA DUNSTON, Chief ASCD
ALFREDA GREENE
LENORE OSTROWSKY
MICHELE RAMEY
JOHN RATCLIFFE
SARALE SEWELL
JUANDA SMITH
BRIAN WALCH
MARIK XAVIER-BRIER

COMMISSIONER ASSISTANTS PRESENT:
SHERYL COZART
JASON LAGRIA
CARISSA MULDER
AMY ROYCE
RUKKU SINGLA
ALISON SOMIN
IRENA VIDULOVIC
I. Approval of Agenda ........................................ 5

II. Business Meeting
   A. Discussion and Vote on Commission's Report,
      In the Name of Hate: Examining the Federal
      Government's Role in Responding to Hate Crimes ........................................ 6
   B. Discussion and Vote on Chair for North Dakota State Advisory Committee .................. 16
   C. Discussion and Vote on 2020 Business Meeting Calendar ............................. 17
   D. Management and Operations Staff Director's Report ......................... 20
   E. Meeting of the Commission's Subcommittee on Condition of Immigration Detention
      Centers and Treatment of Immigrants in Detention .................................... 26

III. Adjourn Meeting ........................................... 35
(10:32 a.m.)

CHAIRPERSON LHAMON: This meeting of the U.S. Commission on Civil Rights comes to order at 10:32 a.m. Eastern Time on August 22nd, 2019. The meeting takes place over the phone.

I'm Chair Catherine Lhamon. I'd like to confirm each of the Commissioners who's on the line, so I'll take a roll call here at the outset. Please say present when I say your name if you are on the line.

Vice Chair Timmons-Goodson?

VICE CHAIR TIMMONS-GOODSON: Present.

CHAIRPERSON LHAMON: Commissioner Adegbile?

COMMISSIONER ADEGBILE: Present.

CHAIRPERSON LHAMON: Commissioner Heriot?

COMMISSIONER HERIOT: Here.

CHAIRPERSON LHAMON: Commissioner Kirsanow?

(No audible response.)

CHAIRPERSON LHAMON: Commissioner Kladney?

COMMISSIONER KLADNEY: Here.
CHAIRPERSON LHAMON: Commissioner Narasaki?

COMMISSIONER NARASAKI: Present.

CHAIRPERSON LHAMON: Commissioner Yaki?

COMMISSIONER YAKI: Here.

CHAIRPERSON LHAMON: Thank you. Based on that a quorum of the Commission is present.

Is the court reporter present?

COURT REPORTER: The court reporter is present.

CHAIRPERSON LHAMON: Thank you. Is the staff director present?

(No audible response.)

CHAIRPERSON LHAMON: All right. When the staff director joins us, he will announce himself.

CHAIRPERSON LHAMON: The meeting shall now come to order.

I. APPROVAL OF AGENDA

CHAIRPERSON LHAMON: Is there a motion to approve the agenda for this business meeting?

COMMISSIONER ADEGBILE: Commissioner Adegbile. So moved.

CHAIRPERSON LHAMON: Thank you. Is there a second?
COMMISSIONER NARASAKI: Commissioner Narasaki. Second.

CHAIRPERSON LHAMON: Thank you. Are there any amendments to the agenda?

(No audible response.)

CHAIRPERSON LHAMON: Hearing none, let's vote to approve the agenda. All those in favor, say aye?

(Chorus of aye.)

CHAIRPERSON LHAMON: Any opposed?

(No audible response.)

CHAIRPERSON LHAMON: Any abstentions?

(No audible response.)

CHAIRPERSON LHAMON: The motion passes unanimously.

II. BUSINESS MEETING

A. DISCUSSION AND VOTE ON COMMISSION'S REPORT, IN THE NAME OF HATE: EXAMINING THE FEDERAL GOVERNMENT'S ROLE IN RESPONDING TO HATE CRIMES.

CHAIRPERSON LHAMON: The first item on the agenda is a discussion and vote on the Commission's Report titled In the Name of Hate: Examining the Federal Government's Role in Responding to Hate Crimes. We'll hold two votes: First, we will
consider the report, and second we will consider the findings and recommendations.

    To open the floor for discussion, is there a motion?

    VICE CHAIR TIMMONS-GOODSON: Vice Chair Timmons-Goodson. So moved.


    CHAIRPERSON LHAMON: Thank you. I'll offer a few points to begin our discussion.

    First, I thank Vice Chair Timmons-Goodson for her leadership with this project as well as my fellow co-sponsors, Commissioners Adegbile and Narasaki. I thank our staff, particularly Katherine Culliton-Gonzalez and Marik Xavier-Brier, as well as all the other members of our staff who pitched in during the research and development of this project. Thanks to all of their efforts we today consider a report that delves into an issue that feels distressingly topical nearly every week: the manifestation of hate in our communities including our schools.

    The text we vote on today reads the history of hate in this country with a wide and modern lens that captures the varying ways that
perpetrators attack people based on how they look, their faith and whom they love. The report comprehensively assesses the work of the Departments of Education and Justice to investigate, prosecute and prevent hate crimes and bias-motivated incidents. We also dive into the practices of five local cities because their research showed that it is a necessary goal for the Federal Government, local and state communities are central partners in this work.

I'll open the floor for discussion beginning with Vice Chair Timmons-Goodson as the lead co-sponsor of this project.

CHAIRPERSON LHAMON: Thank you very much, Madam Chair.

It seems at times that our country is hopelessly divided, but I believe that all Americans can agree that hate crimes have no place in this country. Not only do hate crimes harm individuals and communities, but hate crimes also tear the very fabric of our nation. They undermine the promise of equality.

Alarmed by numerous reports of a significant increase in hate crimes and incidents across the country, the Commission has examined the
impact of these heinous crimes and the efforts to stem their rise.

Back on the 11th of May of 2018 we heard from hate crime survivors, local law enforcement, community stakeholders, legal experts and current and former federal officials. In our open comment session we also heard from members of the public.

I believe that this report that you've all received a copy of has come about through the very hard work of many as you have already singled out, Madam Chair. I believe that the report does a good job and I believe that it's going to be of value as our nation comes to grips with the frequent, unfortunately frequent occurrences of crimes that are motivated by hate. The Commission's role is to stand up against that which assaults the rights we all hold so dear. Left unaddressed hate crimes and bias-related incidents prevent Americans from living up to the democratic ideals we revere.

I believe that we've done a good job with this report and I will be supporting it and hope that all others will as well. Thank you.

CHAIRPERSON LHAMON: Thank you. Any
other discussion or amendments?

COMMISSIONER NARASAKI: Yes, this is Commissioner Narasaki. Madam Chair, I move to amend the text of the report and the findings and recommendations so that they conform with the text my special assistant circulated by email last night, August 21st at 8:45 p.m. For the sake of efficiency I will not read each amendment unless one of the Commissioners would prefer I do so.

CHAIRPERSON LHAMON: Thank you, Commissioner Narasaki. A friendly amendment to your amendment. This motion is about the report itself, so if you wouldn't mind making a motion to amend the report text as circulated by your special assistant last night -- to amend the findings and recommendations section, I'd appreciate it.

COMMISSIONER NARASAKI: Happy to do that.

So I'd move to amend the text of the report to conform with the text that was circulated last night at 8:45 p.m.

CHAIRPERSON LHAMON: Thank you. Is there a second?

COMMISSIONER ADEGBILE: Commissioner Adegbile.
VICE CHAIR TIMMONS-GOODSON: If appropriate --

I'm sorry. Go ahead, Commissioner Adegbile.

COMMISSIONER ADEGBILE: Apologies, Madam Vice Chair. I was just intending to second the motion of Commissioner Narasaki to amend the text of the report consistent with the revisions that were circulated by email last night.

CHAIRPERSON LHAMON: And, Madam Vice Chair, do you accept the amendments motion and therefore incorporated?

VICE CHAIR TIMMONS-GOODSON: What I was going to say is if appropriate I -- at this time I would express that as a friendly amendment.

CHAIRPERSON LHAMON: Thank you. Any further discussion on our now-amended motion to approve the text of the Hate Crimes Report as amended -- as recommended and circulated last night?

(No audible response.)

CHAIRPERSON LHAMON: All right. Unless there's further discussion, I'll call the discussion -- call the question, take a roll call vote.
Commissioner Adegbile, how do you vote?

COMMISSIONER ADEGBILE:  Aye.

CHAIRPERSON  LHAMON:  Commissioner

Heriot?

COMMISSIONER HERIOT:  I vote no.

CHAIRPERSON  LHAMON:  Commissioner

Kirsanow?

(No audible response.)

CHAIRPERSON  LHAMON:  Commissioner

Kladney?

COMMISSIONER Kladney:  Yes.

CHAIRPERSON  LHAMON:  Commissioner

Narasaki?

COMMISSIONER NARASAKI:  I vote yes.

CHAIRPERSON  LHAMON:  Commissioner Yaki?

COMMISSIONER YAKI:  Aye.

CHAIRPERSON  LHAMON:  Vice Chair

Timmons-Goodson?

VICE CHAIR TIMMONS-GOODSON:  Yes.

CHAIRPERSON  LHAMON:  And I vote yes.

The motion passes. One Commissioner opposed; no Commissioner abstained, all others were in favor.

I'll also note I understand that the staff director has been on the line the whole time unable to speak and is now on with us on a speaking
Staff Director Morales, would you mind confirming that you are on and able to speak?

MR. MORALES: I am on the line now. Thank you.

CHAIRPERSON LHAMON: Okay. Thank you. So next we'll consider the findings and recommendations to the report.

To open the floor for discussion is there a motion?

VICE CHAIR TIMMONS-GOODSON: Madam Chair, Vice Chair Timmons-Goodson. I so move.

CHAIRPERSON LHAMON: Thank you. So there's a motion to approve the findings and recommendations. Is there a second?

COMMISSIONER ADEGBILE: Commissioner Adegbile. Second.

COMMISSIONER NARASAKI: Commissioner Narasaki -- oh, go ahead, Debo.

COMMISSIONER ADEGBILE: Sorry. Sorry. I yield to Commissioner Narasaki.

COMMISSIONER NARASAKI: I second the motion.

CHAIRPERSON LHAMON: Appreciate that you're seconding.
Is there any discussion around my -- to this motion?

COMMISSIONER NARASAKI: Yes, Madam Chair. This is Commissioner Narasaki. I move to amend the findings and recommendations to conform with the text that my special assistant circulated via email last night, August 21st at 8:45 p.m.

CHAIRPERSON LHAMON: Thank you, Madam Vice Chair. Do you accept those amendments as friendly to your motion and therefore incorporated?

COMMISSIONER NARASAKI: I do accept them as friendly to my motion.

CHAIRPERSON LHAMON: Thank you.

Any further discussion on our now amended motion?

(No audible response.)

VICE CHAIR TIMMONS-GOODSON: Vice Chair Timmons-Goodson. The only thing that I have to add is again that no one in this country should have to live in fear because of their race or religion, disability, sexual orientation, ethnicity or national origin. And we've taken up this topic and we've offered what I feel to be good recommendations and -- that are so critical to the challenge that's before us, and thus I'll be
supporting the findings and recommendations.

COMMISSIONER NARASAKI: Madam Chair,

this is Commissioner Narasaki. I want to add my

thanks to my fellow Commissioners and the staff.

We had a very ambitious research project for this

report. This is an area of work that I have spent

most of my professional life working on, so it's

been very personal to me. And I agree with the

Vice Chair that we have some very strong

recommendations that hopefully can begin to move us

forward to be able to more strongly address this

issue.

CHAIRPERSON LHAMON: Thank you.

Unless there's further discussion, I'll
call the question. We can take a roll call vote.

Commissioner Adegbile, how do you vote?

COMMISSIONER ADEGBILE: Aye.

CHAIRPERSON LHAMON: Commissioner

Heriot?

COMMISSIONER HERIOT: I vote no.

CHAIRPERSON LHAMON: Commissioner

Kirsanow?

(No audible response.)

CHAIRPERSON LHAMON: Commissioner

Kladney?
COMMISSIONER Kladney: Yes.

Chairperson Lhamon: Commissioner Narasaki?

Commissioner Narasaki: Yes.

Chairperson Lhamon: Commissioner Yaki?

Commissioner Yaki: Aye.

Chairperson Lhamon: Vice Chair Timmons-Goodson?

Vice Chair Timmons-Goodson: Yes.

Chairperson Lhamon: And I vote yes. The motion passes. One Commissioner opposed; no Commissioner abstained. All others were in favor.

I'll note now that with the adoption of the report and the findings and recommendations the clock begins ticking with respect to the deadlines for statements in rebuttal. Statements will be due on Monday, September 23 with rebuttals due on Wednesday, October 23. Commissioners must file notice of their intention to file a surrebuttal by Wednesday, October 30 and then must file the text of their surrebuttal on Wednesday, November 6.

B. DISCUSSION AND VOTE ON CHAIR FOR NORTH DAKOTA STATE ADVISORY COMMITTEE

Chairperson Lhamon: The next item on our agenda is to consider the recommendation from

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the staff director for the appointment of a new chair for our North Dakota Advisory Committee that the previous chair resigned.

To open the floor for discussion I move that the Commission accept the staff director's recommendation and appoint Michelle Rydz to serve as the chair of the North Dakota Advisory Committee. Do I have a second?


CHAIRPERSON LHAMON: Commissioner Heriot, thank you for the second.

Any discussion?

(No audible response.)

CHAIRPERSON LHAMON: Okay. I'll call the question and take a roll call vote.

Commissioner Adegbile, how do you vote?

COMMISSIONER ADEGBILE: Aye.

CHAIRPERSON LHAMON: Commissioner Heriot?

COMMISSIONER HERIOT: I vote yes.

CHAIRPERSON LHAMON: Commissioner Kirsanow?

(No audible response.)

CHAIRPERSON LHAMON: Commissioner
Kladney?

COMMISSIONER KLADNEY: Yes.

CHAIRPERSON LHAMON: Commissioner

Narasaki?

COMMISSIONER Yes.

CHAIRPERSON LHAMON: Commissioner Yaki?

COMMISSIONER YAKI: Aye.

CHAIRPERSON LHAMON: Vice Chair

Timmons-Goodson?

VICE CHAIR TIMMONS-GOODSON: Yes.

CHAIRPERSON LHAMON: And I vote yes.

The motion passes unanimously.

C. DISCUSSION AND VOTE ON 2020 BUSINESS MEETING

CALENDAR

CHAIRPERSON LHAMON: We'll now discuss and vote on the schedule for business meetings in 2020. Everyone should have a proposed list of dates for meetings next year, which I'll read out loud now just for clarity.

Friday, January 24; Friday, February 28; Friday, March 20; Friday, April 17; Friday, May 8; Friday, June 5; Friday, July 17; Friday, August 14; Friday, September 11; Friday, October 16; Friday, November 13; and Friday, December 4.

To open the floor for discussion I move
that the Commission adopts the schedule as I have just read. Do I have a second?

COMMISSIONER HERIOT: I second. Gail Heriot.

COMMISSIONER KLADNEY: I second.

CHAIRPERSON LHAMON: Thank you for those enthusiastic seconds.

Is there any discussion?

COMMISSIONER NARASAKI: We love those Fridays.

CHAIRPERSON LHAMON: Yes. I love being together with you all once a month.

Unless there's further discussion, I'll call the question and take a roll call vote.

Commissioner Adegbile, how do you vote?

COMMISSIONER ADEGBILE: Aye.

CHAIRPERSON LHAMON: Commissioner Heriot?

COMMISSIONER HERIOT: Yes.

CHAIRPERSON LHAMON: Commissioner Kirsanow?

(No audible response.)

CHAIRPERSON LHAMON: Commissioner Kladney?

COMMISSIONER KLADNEY: Yes.
CHAIRPERSON LHAMON: Commissioner Narasaki?

COMMISSIONER NARASAKI: Yes.

CHAIRPERSON LHAMON: Commissioner Yaki?

COMMISSIONER YAKI: I have a question. Given that we always meet on Fridays, do I have my date wrong and today's actually Friday and not Thursday?

(Laughter.)

CHAIRPERSON LHAMON: Let's first vote and I'm happy to discuss your dates. How do you vote on these dates?

COMMISSIONER YAKI: Aye.

CHAIRPERSON LHAMON: Thank you.

Vice Chair Timmons-Goodson?

VICE CHAIR TIMMONS-GOODSON: Yes.

CHAIRPERSON LHAMON: And I vote yes. The motion passes unanimously.

And for the record today is Thursday. We're off of our regular schedule and I appreciate everyone's accommodation.

(Laughter.)

D. MANAGEMENT AND OPERATIONS - STAFF DIRECTOR'S REPORT

CHAIRPERSON LHAMON: Next we'll hear
from staff director Mauro Morales for the monthly staff director's report.

MR. MORALES: Thank you, Madam Chair. In the interest of everyone's time I'll not go into any details of the report, however, I'm always available to discuss a specific item or question that a Commissioner may have. Thank you, Madam Chair.

CHAIRPERSON LHAMON: Thank you, Mr. Staff Director.

Just a point of personal privilege, I understand that tomorrow will be the last day for Special Assistance Sheryl Cozart who has ably served the Vice Chair for the duration of time I have been on who proceeds my service on the Commission.

I just want to say how much I will miss you, Sheryl, how very much I have relied on your help and assistance including before I had a special assistant to work with me and ever since you have been an extraordinary assist for the Commission. Your expertise across lots of area, your beautiful writing, your relentless research, your lovely support and personality have been a real benefit. I am so sorry to see you go, but
very glad to see that you will be able to use your expertise in your next endeavors and I look forward to being able to benefit from them. Thank you for your service to the Commission and to our country.

VICE CHAIR TIMMONS-GOODSON: Madam Chair, when appropriate I'd like to say a word or two.

CHAIRPERSON LHAMON: Please go ahead, Madam Vice Chair.

VICE CHAIR TIMMONS-GOODSON: Thank you very much.

I have been -- since learning that Sheryl would be leaving been in a bit of a depression. As I told her, it's rare that you just click with someone in the way that we have clicked. She has been not only my right hand, at times I felt that she was my left hand as well. She has the disposition, the heart, the ability and her passion for what we do at the Commission that has really helped us along. And frankly, I don't know what I'm going to do without her, but she has earned the opportunity that she now has to continue serving.

And, Sheryl, just know that I, we at the Commission are going to miss you and appreciate
so very much all that you have meant to us and to our work. It speaks for itself. And there's a song now that says I'm expecting great things. Anyway, we are. And we'll hear more from you I'm sure. Thank you.

COMMISSIONER NARASAKI: Madam Chair, this is Commissioner Narasaki.

CHAIRPERSON LHAMON: Go ahead, Commissioner Narasaki.

COMMISSIONER NARASAKI: I would just like to add my thanks and appreciation to Sheryl. She's been an amazing colleague. And we are a very tiny crew at the Commission because of the size of our staff and have put out I think an amazing level of work. and it requires a lot of teamwork, and she has been the ultimate in terms of a leader and team player and a joy to work with.

So I very much wish you well. I look forward to seeing how you rise further in your career.

COMMISSIONER ADEGBILE: Madam Chair, Commissioner Adegbile.

CHAIRPERSON LHAMON: Go ahead Commissioner Adegbile.

COMMISSIONER ADEGBILE: Sheryl, I would
just like to join the commendations of the Vice Chair and Commissioner Narasaki and the Chair thanking you for your work and efforts. When I think of you and I think of your contributions to the Commission, I'm reminded of the quiet resolve that so many people who have fought for civil rights have had where they are moored with their feet on the ground and they're committed to justice and quietly pushing constantly in that direction.

And when I think of the contributions that you've brought to the Commission with your quiet ways but your centered focus on doing what's right and justice, I know that we all have benefitted from it. And I have heard from the other SAs how much they value you as a colleague and I hope you now know that we as Commissioners share that appreciation and wish you every success as you continue in your career. God speed.

COMMISSIONER HERIOT: Madam Chair?

CHAIRPERSON LHAMON: Go ahead, Commissioner Heriot.

COMMISSIONER HERIOT: I just wanted to add my thoughts.

Sheryl, it has been great having you with us. You have been a perfectly matched pair
with the Vice Chair. It's really quite amazing. Both of you so sweet, hard-working. I will miss you. And indeed we are all expecting great things from you in the future. Maybe, just maybe the Commission one day. So thank you for all you've done.

CHAIRPERSON LHAMON: Commissioner Kladney?

COMMISSIONER KLADNEY: Madam Chair, David Kladney here.

CHAIRPERSON LHAMON: Go ahead.

COMMISSIONER KLADNEY: Yes, thank you.

Sheryl, I'd really like to thank you. Your teamwork and your contributions have been phenomenal to the team. And I understand that your future position sounds so exciting to be able to add to our country's best interests, but I'd really like to thank you for your calmness when I would be like running up and down the hall and I'd stick my head in and you would calm me down. I always thought, boy, this is a great person.

And so I'd really like to thank you. Your work has been phenomenal. I know Amy has appreciated you tremendously as have I. So thank you very much and great luck in the future. Thank
you.

MR. MORALES: Madam Chair, if I may make a statement on behalf of the staff?

CHAIRPERSON LHAMON: Go ahead, Mr. Staff Director.

MR. MORALES: Thank you.

Sheryl, just wanted you to know on behalf of the entire staff how much you will be missed. You are a team player. You stepped in multiple roles over the years and I can't thank you enough for the work. And personally I can't think you enough for the advice and work you've provided and the assistance you've given me to make my job -- I'm able to do my job. So thank you. We're going to be seeing you through the rest of the day and celebrating with you and I just want you to know I'm -- thank you from the entire staff of the U.S. Commission on Civil Rights.

COMMISSIONER YAKI: And, Sheryl --

CHAIRPERSON LHAMON: As well I'll note -- oh, go ahead, Commissioner Yaki.

COMMISSIONER YAKI: Thank you very much, Madam Chair.

I just want to add my kudos, praise, thanks, amens, hallelujahs to the chorus for Sheryl
as someone who was left staff assistant for some
time. She was part of the crew that helped in and
enabled me to steer the course with all of you, but
really in a -- that's just a minor part of
everything that is great and good about her and her
demeanor and her hard work and her intelligence.

And congratulations to you, Sheryl,
for -- on the next step of your career. With
everyone, I think we all not only expect, but we
know we will see great things from you.

CHAIRPERSON LHAMON: Thank you, all.

At this time -- well, let me note first
that Sheryl is not on the speaker line, so I
imagine that it's been uncomfortable to listen to
all of us sing your praises and I hope you have
enjoyed and I know that you couldn't say anything
back to us.

E. MEETING OF THE COMMISSION'S SUBCOMMITTEE ON

CONDITION OF IMMIGRATION DETENTION CENTERS AND

TREATMENT OF IMMIGRANTS IN DETENTION - DISCUSSION

AND VOTE ON SUBCOMMITTEE'S REPORT TO COMMISSION

CHAIRPERSON LHAMON: At this time the
Commission will now move to a meeting of our
Subcommittee on Immigration Detention. Since I'm
not on that subcommittee and I'm recused from its
work, I will now turn the gavel over to Commissioner Yaki and I will exit the room. Thank you, all.

COMMISIONER YAKI: Thank you very much, Madam Chair, and good luck wherever you are going right now. Hopefully it is a nice and comfortable warm place, like back to sleep.

Thank you, all. We are going to be considering today the -- for lack of -- for shorthand, the Immigration Detention Report, or as it's formally titled, Trauma at the Border: the Human Cost of Inhumane Immigration Policies.

I want to first acknowledge two things: One, that the report has been sent out, has received agency review. You received the updated report. The findings and recommendations as amended with a redline were sent out last night and I know that we may have some adjustments to that later today and perhaps even next week. But this is just for the Subcommittee consideration, not for the Full Committee. So I am going to very quickly call the roll for the Subcommittee and starts with Commissioner Narasaki.

Are you present?

COMMISIONER NARASAKI: Present.
COMMISSIONER YAKI: Commissioner Kladney, are you present?

COMMISSIONER Kladney: Yes.

COMMISSIONER YAKI: Commissioner Adegbile, are you present?

COMMISSIONER ADEGBILE: Present.

COMMISSIONER YAKI: And, Commissioner Kirsanow, are you present?

(No audible response.)

COMMISSIONER YAKI: For the record I note that Commissioner Kirsanow was not on the previous meeting and is not at this one today.

So today, thank you, all, we have a quorum of the Subcommittee.

First I want to just briefly -- well, actually not so briefly, thank one of -- a person who is no longer with the Commission, Jason Lagria, who is -- who was Commissioner Narasaki's special assistant, who really pulled the yeoman's oar on this. I think we all owe him a tremendous debt of gratitude and thanks, as well as to Amy Royce and Carissa Mulder for their hard work, Rukku Singla, Irena Vidulovic, Alison Somin, and at the very last minute my mew and old at the same time Special Assistant Todd Dual.
I also really want to thank the staff, especially the staff director and the general counsel and the head of OCRE who despite the fact that this was a report that was put together with spit and glue because of the resource constraints, all of them managed to find and carve time out to help with this report, but not at the cost or detriment of our incredibly big workload that we have in turning out other reports.

This was an extraordinary undertaking in all aspects of that definition. We did not seek this issue; it sought us. And I just want to thank everyone: the law clerks, interns, everyone who were part of this endeavor. We can talk about this more next week. I know we're all on a time schedule.

So with that I am going to reserve my comments about the issue until next week at the Full Commission and simply use this time to formally move the mechanics of this up to the Full Commission for a report.

So unless anyone has any other sort of background remarks, I'd like to move on approving the report for consideration to the Full Commission.
COMMISSIONER NARASAKI: This is Commissioner Narasaki. I would just like to acknowledge your leadership of this subcommittee and thank you for that. And also welcome my new special assistant. Thank you for acknowledging Jason Lagria's very hard work. He will be missed. I'm very excited though to introduce everyone to Peach Soltis who has had a wild two first days. So thank you, Michael.

COMMISSIONER YAKI: Thank you. Thank you, Commissioner Narasaki.

And welcome, Peach. Look forward to meeting you soon and thanks for stepping into the whirlpool.

Anything else from the Commissioners? If not, I'd like a motion to approve the main body of the report for forwarding to the Full Commission.

COMMISSIONER NARASAKI: This is Commissioner Narasaki. And sorry, I would like to add also our gratitude to the staff. While the Commissioners and our special assistants agreed to take the oar because of our limited capacity on this report, staff, particularly our general counsel and OCRE director, have been very critical
in helping us to get this report to this stage and thank them very much for their hard work. And also the staff who helped organize the briefing, the public briefing which was incredibly moving and very important to this report, and everyone who testified. Thank you.

COMMISSIONER YAKI: Thank you.

So do I have a motion to approve the report and send it to the Full Commission for consideration?

COMMISSIONER NARASAKI: This is Commissioner Narasaki. So moved.

COMMISSIONER YAKI: I will -- is there a second?

COMMISSIONER ADEGBILE: I'll second it.

Commissioner Adegbile seconds, Commissioner Yaki.

COMMISSIONER YAKI: Thank you, Commissioner Adegbile.

Let me call the roll.

Commissioner Narasaki?

COMMISSIONER NARASAKI: Aye.

COMMISSIONER YAKI: Commissioner Adegbile?

COMMISSIONER ADEGBILE: Aye.

COMMISSIONER YAKI: Commissioner
Kladney?

COMMISSIONER Kladney: Yes.

COMMISSIONER Yaki: Commissioner Kirsanow?

(No audible response.)

COMMISSIONER NARASAKI: Actually I --

COMMISSIONER Yaki: And I vote -- oh.

COMMISSIONER NARASAKI: Sorry, Commissioner Yaki. This moved so fast. I had an amendment to the findings.

COMMISSIONER Yaki: Right, we're just doing the report.

COMMISSIONER NARASAKI: So are we -- we're just doing the report? Okay. Thank you.

COMMISSIONER Yaki: Yes.

COMMISSIONER NARASAKI: Sorry about that. Go ahead.

COMMISSIONER Yaki: You're welcome.

Commissioner Kirsanow?

(No audible response.)

COMMISSIONER Yaki: Commissioner Kirsanow not voting. Commissioner Yaki votes aye.

The report is approved for consideration of the Full Commission by a four to zero vote.

We will now move to the findings and
recommendations. Commissioner Narasaki, you --

COMMISSIONER ADEGBILE: Sorry.

Commissioner Yaki, I --

COMMISSIONER YAKI: Yes?

COMMISSIONER ADEGBILE: -- think just for clarity of the record, as I understand it Commissioner Kirsanow is not present, not just not voting, but not present as I understand it.

COMMISSIONER YAKI: Thank you very much. That will be noted.

On the findings and recommendations, Commissioner Narasaki, you had an amendment?

(No audible response.)

COMMISSIONER YAKI: Commissioner Narasaki?

COMMISSIONER NARASAKI: Sorry, I was on mute. This is Commissioner Narasaki. I would like to move for consideration to the Full Committee the findings and recommendations. I would like offer a friendly amendment that was circulated last night at a little after 9:30 by my Special Assistant Peach Soltis.

COMMISSIONER YAKI: Without objection if there -- without objection that amendment will be included in the findings and recommendations and
is included in the motion. Seeing no objection, so ordered.

We will now move -- is there a second to Commissioner Narasaki's --

COMMISSIONER KладNEY: Mr. Chairman?
COMMISSIONER -- motion? Yes, Commissioner Kладney?

COMMISSIONER KладNEY: Mr. Chairman?
COMMISSIONER YAKI: Yes.

COMMISSIONER KладNEY: Is it the one where we're adding a single word to the findings and recommendations?

COMMISSIONER YAKI: Yes.
COMMISSIONER KладNEY: Thank you.
COMMISSIONER YAKI: The word detention,

yes.

So with that, having heard no objection about that, it will be amended into it. On the amendment as -- on the findings as amended, is there a second to approve this for consideration by the Full Commission?

(No audible response.)

COMMISSIONER YAKI: Looking for a second.

COMMISSIONER ADEGBILE: Commissioner
Adegbile, second.

COMMISSIONER YAKI: Commissioner Adegbile seconds the amended motion to the findings and recommendations on the motion as amended. We'll now call the roll.

Commissioner Narasaki?

COMMISSIONER NARASKI: Yes.

COMMISSIONER YAKI: Commissioner Narasaki Aye.

COMMISSIONER YAKI: Commissioner Adegbile?

COMMISSIONER ADEGBILE: Aye.

COMMISSIONER YAKI: Commissioner Kladney?

COMMISSIONER KLABDNEY: Yes.

COMMISSIONER YAKI: Commissioner Kirsanow?

Kirsanow?

(No audible response.)

COMMISSIONER YAKI: Commissioner Kirsanow not present.

Commissioner Yaki votes aye. The findings and recommendations as amended are presented to the Full Commission for consideration by a four to zero vote.

III. ADJOURN MEETING
COMMISSIONER YAKI: That concludes the business of the Subcommittee. And I believe that concludes our business today. So thank you very much all of you for your assistance and your hard work on this report. Look forward to discussing it more next week. We are adjourned. Enjoy the day and the weekend, even though I thought today was Friday.

(Whereupon, the above-entitled matter went off the record at 11:08 a.m.)